

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHOOM, INC.,

Plaintiff,

No. C 07-05612 JSW

v.

ELECTRONIC IMAGING SYSTEMS OF
AMERICA,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Defendant.


The Court has reviewed Magistrate Judge Joseph Spero's Report and Recommendation re Plaintiff's Motion for Default Judgment. In his Report and Recommendation, Magistrate Judge Spero recommends that this Court grant the motion and enter a declaratory judgment against Defendant that Plaintiff does not and has not infringed United States Patent Nos. 7,099,837 and 6,505,173. Magistrate Judge Spero also recommends that Plaintiff be awarded \$397 in costs. The time for filing objections has passed, and there have been no objections filed thereto.

The Court finds the Report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, Plaintiff's motion for entry of default judgment against defendant Electronic Imaging System of America is GRANTED, and a declaratory judgment shall be entered in favor of Plaintiff declaring that it does not and has not infringed United States Patent Nos. 7,099,837 and 6,505,173.

1 Plaintiff also is awarded \$397 in costs.

2 **IT IS SO ORDERED.**

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4 Dated: April 25, 2008

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6 JEFFREY S. WHITE
7 UNITED STATES DISTRICT JUDGE
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